

1 A JOINT MEMORIAL

2 REQUESTING THAT THE UNITED STATES FOREST SERVICE, IN THE
3 STATE OF NEW MEXICO, ENSURE THAT THE TRADITIONAL, RURAL,
4 CULTURAL AND RANCHING WAY OF NEW MEXICAN LIFE WILL NOT BE
5 ADVERSELY IMPACTED BY ITS OWN TRAVEL MANAGEMENT PROPOSAL OF
6 MOTORIZED ROUTES AND THAT ANY NEW MEXICO NATIONAL FOREST
7 PLANS UNDERGOING REVISION SHOULD CONTAIN CRITERIA TO PROTECT
8 AND PRESERVE THE TRADITIONAL NEW MEXICAN WAY OF LIFE.

9
10 WHEREAS, the United States forest service has created
11 the travel management rule in order to better manage
12 recreational off-highway vehicle use, describing it as one of
13 the four major threats facing the national forests today; and

14 WHEREAS, according to the United States forest service,
15 recreational off-highway vehicle use can have various adverse
16 impacts, including:

17 A. conflict between recreational off-highway
18 vehicles and quiet recreationists;

19 B. impacts to significant historic sites;

20 C. severe soil erosion and spread of invasive
21 weeds;

22 D. disturbance of wildlife habitat and
23 interruption of wildlife migration;

24 E. destruction of valuable watersheds and
25 sedimentation;

1 F. wildfires; and

2 G. vandalism to private property; and

3 WHEREAS, rangers from the federal bureau of land
4 management and the United States forest service agree that
5 off-highway vehicles represent "a significant law enforcement
6 problem" and are "the biggest drain on ranger's resources and
7 generate more law enforcement citations than all other
8 criminal activity combined"; and

9 WHEREAS, the United States forest service does not
10 appear to have a practical plan or budget for enforcement of
11 the travel management plan or the maintenance of a reasonable
12 system of motorized routes; and

13 WHEREAS, areas of the Santa Fe national forest, such as
14 Glorieta mesa and the Jemez mountains, host unique
15 archaeological sites and serve as vital wildlife corridors
16 between core areas in the north and south, allowing species
17 to migrate and maintain healthy populations; and

18 WHEREAS, there are ranchers and federal grazing permit
19 holders in and adjacent to New Mexico's national forests,
20 some of whom have lived, ranched and gathered wood there for
21 more than five generations, who have proven themselves to be
22 responsible, careful stewards of the forest; and

23 WHEREAS, the Santa Fe national forest management plan
24 calls for protection of the "traditional, cultural and
25 ranching way of life" and the United States forest service

1 region 3 travel management rule guidelines state: "As a
2 critical component of allotment management, the
3 implementation of the TMR should be conducted in careful and
4 considered consultation with the grazing permit holder"; and

5 WHEREAS, for more than a year, the Santa Fe national
6 forest has actively solicited the direct involvement of
7 recreational off-highway vehicle users by explaining the
8 travel management rule and requesting input and assisting
9 this stakeholder group in documenting and mapping their
10 preferred routes, but the Santa Fe forest service has not
11 made a similar effort to solicit input from its grazing and
12 other special use permit holders; and

13 WHEREAS, there are property owners in or adjacent to the
14 New Mexico national forests and grazing permit holders that
15 live in a climate of intimidation, such as on Glorieta mesa,
16 where ranchers and their families have been shot at, had
17 their pets killed, livestock harassed and property damaged,
18 are afraid to speak up for fear of retribution, and in spite
19 of making these events known to the United States forest
20 service, there has been no significant action taken to
21 prevent loss of life or damage to private property or to in
22 any way deter these criminal activities on forest land; and

23 WHEREAS, in some national forest areas such as Glorieta
24 mesa, where there is no history of extensive recreational
25 off-highway vehicle activity, the little use that exists now

1 has created a disproportionate disturbance to the land and
2 ranchers' livelihoods due to destruction of earthen dams and
3 stock tanks, livestock escaping from gates left open and
4 fences cut, harassing of livestock, the creation of
5 unauthorized roads and general vandalism; and

6 WHEREAS, the off-road abuse in the Jemez mountains is
7 monumental, causing extreme erosion, sedimentation of surface
8 water, trail degradation and illegally created trails,
9 property damage, intimidation and threat to the property
10 inholders and grazing permit holders, including one
11 long-standing rancher who was forced to give up his permit
12 after motorcyclists repeatedly chased his cattle and severely
13 rutted the rangeland; and

14 WHEREAS, it is illegal to operate all-terrain vehicles
15 on paved roads and there are access roads to the national
16 forests, such as Santa Fe county road 51, that are unsafe for
17 off-highway vehicles and trailering, that serve as
18 "attractive nuisances" for illegal all-terrain-vehicle use
19 and that recently had one all-terrain vehicle-related death;

20 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
21 STATE OF NEW MEXICO that the preservation of traditional
22 culture be established as a mandatory filter in evaluating
23 any potential designation of routes open for motorized
24 travel, requiring the United States forest service to
25 actively solicit input on motorized route designations from

1 all stakeholders in or adjacent to the forest, such as local
2 ranchers, farmers, other permit holders, adjacent property
3 owners, in-holders and local quiet recreational interests;
4 and

5 BE IT FURTHER RESOLVED that the preservation of existing
6 wildlife habitat and wildlife corridors, as well as
7 protection of watersheds, rangeland, natural resources and
8 archaeological sites, be established as a mandatory filter in
9 evaluating any potential designation of routes open for
10 motorized travel, particularly as applied to off-highway
11 vehicle and dirt-bike use; and

12 BE IT FURTHER RESOLVED that safe access to areas
13 designated for recreational off-highway vehicle traffic,
14 particularly dirt bikes and all-terrain vehicles, be
15 established as a mandatory filter in route designation,
16 prohibiting access directly from roads that are inherently
17 unsafe for a particular class of vehicle, for example,
18 off-highway vehicles or dirt bikes, so as not to create an
19 attractive nuisance that could result in injury or death to
20 recreationists or rural residents; and

21 BE IT FURTHER RESOLVED that recreational off-highway
22 vehicle activities be adequately enforced and monitored and
23 that violation of designated closed routes and areas result
24 in sufficient penalties and, if any designated routes and
25 areas are shown to be unenforceable, that they are closed

1 permanently or until sufficient enforcement can be
2 guaranteed; and

3 BE IT FURTHER RESOLVED that the United States forest
4 service seriously consider the recommendations of the
5 department of game and fish with regard to motorized use in
6 the New Mexico national forests; and

7 BE IT FURTHER RESOLVED that the United States forest
8 service travel management plan proposed actions be suspended
9 until adequate input from all major stakeholders can be
10 collected, that the scoping period for proposed actions be
11 ninety days and that the state forester and the department of
12 game and fish be requested to report by December 1, 2008 to
13 the appropriate committee designated by the New Mexico
14 legislative council on the United States forest service
15 response to this memorial; and

16 BE IT FURTHER RESOLVED that the United States forest
17 service, in the process of rewriting their forest plans for
18 the national forests in New Mexico, should contain criteria
19 to protect and preserve the traditional New Mexican way of
20 life; and

21 BE IT FURTHER RESOLVED that copies of this memorial be
22 transmitted to the federal secretary of agriculture, the chief
23 of the United States forest service, the New Mexico
24 congressional delegation and the state forester. _____